RESPONDENTS' APPENDIX

The Jones Act, 46 U.S.C. app. § 688(a)(2000)

Any seaman who shall suffer personal injury in the course of his employment may, at his election, maintain an action for damages at law, with the right of trial by jury, and in such action all statutes of the United States modifying or extending the common-law right or remedy in cases of personal injury to railway employees shall apply; and in case of the death of any seaman as a result of any such personal injury the personal representative of such seaman may maintain an action for damages at law with the right of trial by jury, and in such action all statutes of the United States conferring or regulating the right of action for death in the case of railway employees shall be applicable. Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

Ill. Rev. Stat., ch. 120 ¶ 2403 (1991)

§ 3. Riverboat Gambling Authorized. (a) Riverboat gambling operations and the system of wagering incorporated therein, as defined in this Act, are hereby authorized to the extent that they are carried out in accordance with the provisions of this Act.

(b) This Act does not apply to the pari-mutuel system of wagering used or intended to be used

in connection with the horse-race meetings as authorized under the Illinois Horse Racing Act of 1975,[1] lottery games authorized under the Illinois Lottery Law,[2] bingo authorized under the Bingo License and Tax Act,[3] charitable games authorized under the Charitable Games Act[4] or pull tabs and jar games conducted under the Illinois Pull Tabs and Jar Games Act.[5]

(c) Riverboat gambling conducted pursuant to this Act may be authorized upon any navigable stream within the State of Illinois or any navigable stream other than Lake Michigan which constitutes a boundary of the State of Illinois; however, this Act does not authorize riverboat gambling within a county having a population in excess of 3,000,000, and this Act does not authorize riverboats conducting gambling under this Act to dock at any location in a county having a population in excess of 3,000,000.

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1. Chapter 8, ¶ 37-1 et seq.

2. Paragraph 1151 et seq. of this chapter.

3. Paragraph 1101 et seq. of this chapter.

4. Paragraph 1121 et seq. of this chapter.

5. Paragraph 1051 et seq. of this chapter.

Appendix A

Ill. Rev. Stat., ch. 120 ¶ 2404 (1991)

§ 4. Definitions. As used in this Act:

(a) "Board" means the Illinois Gaming Board.

(b) "Occupational license" means a license issued by the Board to a person or entity to perform an occupation which the Board has identified as requiring a license to engage in riverboat gambling in Illinois.

(c) "Gambling game" includes, but is not limited to, baccarat, twenty-one, poker, craps, slot machine, video game of chance, roulette wheel, klondike table, punchboard, faro layout, keno layout, numbers ticket, push card, jar ticket, or pull tab which is authorized by the Board as a wagering device under this Act.

(d) "Riverboat" means a self-propelled excursion boat on which lawful gambling is authorized and licensed as provided in this Act.

(e) "Gambling excursion" means the time during which gambling games may be operated on a riverboat.

(f) "Dock" means the location where a riverboat moors for the purpose of embarking passengers for and disembarking passengers from a gambling excursion.

(g) "Gross receipts" means the total amount of money exchanged for the purchase of chips, tokens or electronic cards by riverboat patrons.

(h) "Adjusted gross receipts" means the gross receipts less winnings paid to wagerers.

(i) "Cheat" means to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game.

(j) "Department" means the Department of Revenue.

(k) "Gambling operation" means the conduct of authorized gambling games upon a riverboat.

Amended by P.A. 86-1389 § 2, eff. Sept. 10, 1990; P.A. 87-826, §3, eff. Dec. 16, 1991.

Appendix A

230 ILCS 10/3 (West Supp. 2004)

§ 3. Riverboat Gambling Authorized.

(a) Riverboat gambling operations and the system of wagering incorporated therein, as defined in this Act, are hereby authorized to the extent that they are carried out in accordance with the provisions of this Act.

(b) This Act does not apply to the pari-mutuel system of wagering used or intended to be used in connection with the horse-race meetings as authorized under the Illinois Horse Racing Act of 1975,[1] lottery games authorized under the Illinois Lottery Law,[2] bingo authorized under the Bingo License and Tax Act,[3] charitable games authorized under the Charitable Games Act[4] or pull tabs and jar games conducted under the Illinois Pull Tabs and Jar Games Act.[5]

(c) Riverboat gambling conducted pursuant to this Act may be authorized upon any water

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1. 230 ILCS 5/1 et seq.

2. 20 ILCS 1605/1 et seq.

3. 230 ILCS 25/1 et seq.

4. 230 ILCS 30/1 et seq.

5. 230 ILCS 20/1 et seq.

within the State of Illinois or any water other than Lake Michigan which constitutes a boundary of the State of Illinois. A licensee may conduct riverboat gambling authorized under this Act regardless of whether it conducts excursion cruises. A licensee may permit the continuous ingress and egress of passengers for the purpose of gambling.

P.A. 86-1029, § 3, eff. Feb. 7 1990. Amended by P.A. 91-40, § 15, eff. June 25, 1999.

Formerly Ill. Rev. Stat. 1991, ch. 120, ¶ 2403.

230 ILCS 10/4 (West Supp. 2004)

§ 4. Definitions. As used in this Act:

(a) "Board" means the Illinois Gaming Board.

(b) "Occupational license" means a license issued by the Board to a person or entity to perform an occupation which the Board has identified as requiring a license to engage in riverboat gambling in Illinois.

(c) "Gambling game" includes, but is not limited to, baccarat, twenty-one, poker, craps, slot machine, video game of chance, roulette wheel, klondike table, punchboard, faro layout, keno layout, numbers ticket, push card, jar ticket, or

pull tab which is authorized by the Board as a wagering device under this Act.

(d) "Riverboat" means a self-propelled excursion boat, a permanently moored barge, or permanently moored barges that are permanently fixed together to operate as one vessel, on which lawful gambling is authorized and licensed as provided in this Act.

(e) "Managers license" means a license issued by the Board to a person or entity to manage gambling operations conducted by the State pursuant to Section 7.2.

(f) "Dock" means the location where a riverboat moors for the purpose of embarking passengers for and disembarking passengers from the riverboat.

(g) "Gross receipts" means the total amount of money exchanged for the purchase of chips, tokens or electronic cards by riverboat patrons.

(h) "Adjusted gross receipts" means the gross receipts less winnings paid to wagerers.

(i) "Cheat" means to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game.

(j) "Department" means the Department of Revenue.

(k) "Gambling operation" means the conduct of authorized gambling games upon a riverboat.

(l) "License bid" means the lump sum amount of money that an applicant bids and agrees to pay the State in return for an owners license that is re-issued on or after July 1, 2003.

(m) The terms "minority person" and "female" shall have the same meaning as defined in Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act.[6]

P.A. 86-1029, § 4, eff. Feb. 7, 1990. Amended by P.A. 86-1389 §2, eff. Sept. 10, 1990; P.A. 87-826, §3, eff. Dec. 16, 1991; P.A. 91-40, § 15, eff. June 25, 1999; P.A. 92-600, Art. 5, § 5-35, eff. June 28, 2002, P.A. 93-28, § 10, eff. June 20, 2003.

Formerly Ill. Rev. Stat. 1991, ch. 120, ¶ 2404.

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6. 30 ILCS 575/2.